

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA )

v. )

MATTHEW ALCORN )

No. 2:15-00001

Senior Judge Haynes

**MOTION AND INCORPORATED MEMORANDUM TO CONTINUE TRIAL  
AND TO EXTEND FILING DATE FOR PRETRIAL MOTIONS**

Now comes the defendant, Matthew Alcorn, through undersigned counsel, and respectfully requests that this Honorable Court enter an order granting a continuance of the trial presently set for **April 14, 2015**, and extending the filing date for pretrial motions.

The reasons for the requested continuance are as follows:

1. 18 U.S.C. § 3161(h)(7)(A) provides, in pertinent part, that any period of delay resulting from a continuance granted on the basis of a court's findings that the ends of justice served by granting of a continuance outweigh the best interests of the public and the defendant in a speedy trial shall be excluded in computing the time within which the trial must commence.

2. The factors that a judge shall consider in determining whether to grant a continuance are found at 18 U.S.C. § 3161(h)(7)(B). One such factor is whether the denial of a continuance would deny counsel for the defendant "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(7)(B)(iv).

3. In the present case, the interests of justice served by the granting of a continuance outweigh the best interests of the public and the defendant in a speedy trial. Additionally, the denial of a continuance in the present case would deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Counsel for the defendant was appointed to represent Mr. Alcorn on January 23, 2015. On March 4,

*OWD HL  
This motion  
is 612 AN FBI in the  
interests of justice  
to allow defense  
counsel to  
be prepared  
for trial.  
Will  
JSH  
3-26-15*